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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

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10 UNITED STATES OF AMERICA, ) Case No.: 2:16-cr-042-JAD-GWF  
11 vs. )  
12 Plaintiff, ) **STIPULATION TO CONTINUE**  
13 ) **SENTENCING** (First Request)  
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IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the United States of America, and William Carrico, Esq. counsel for the Defendant TIMOTHY J. WALKER, that the sentencing currently scheduled for September 12, 2016, be vacated and be continued to a date and time convenient to the Court, but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Elham Roohani will be traveling out of the district on the currently scheduled sentencing date.
2. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government and Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing

- 1       3. The defendant is not in custody, and does not object to the continuance.
- 2       4. The parties agree to the continuance.
- 3       5. Additionally, denial of this request for continuance could result in a miscarriage
- 4       of justice.
- 5       6. This is the first requested continuance of sentencing from the parties.

6                   DATED this 25th day of July, 2016.

7                   DANIEL G. BOGDEN,  
8                   United States Attorney

9                   WILLIAM CARRICO, ESQ.

10                  By: /s/ Elham Roohani  
11                  ELHAM ROOHANI  
12                  Assistant United States Attorney

13                  By: /s/ William Carrico  
14                  WILLIAM CARRICO, ESQ.  
15                  Counsel for Timothy J. Walker

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:16-cr-042-JAD-GWF

Plaintiff,

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

VS.

TIMOTHY J. WALKER,

Defendant.

## FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

7. Assistant United States Attorney Elham Roohani will be traveling out of the district on the currently scheduled sentencing date.
8. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government and Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing
9. The defendant is not in custody, and does not object to the continuance.
10. The parties agree to the continuance.
11. Additionally, denial of this request for continuance could result in a miscarriage of justice.
12. This is the first requested continuance of sentencing from the parties.

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## CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B), 3161(h)(7)(B)(iv), and 3161(h)(1)(D).

## ORDER

IT IS FURTHER ORDERED that the sentencing currently scheduled on September 12, 2016 at 11:00 a.m., be vacated and continued to October 17, 2016 at 9:00 a.m.

DATED this 25 day of July, 2016.

  
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UNITED STATES DISTRICT JUDGE